IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

Ins.APP.No. 41 of 2005()

IC.37/2001 of EMPLOYEES INSURANCE COURT, KOLLAM
.....

APPELLANT/OPP: PARTY

THE REGIONAL DIRECTOR,
E.S.I. CORPORATION, THRISSUR.

BY ADV. SMT.T.D.RAJALAKSHMY, SC, ESI CORPN.

RESPONDENT: APPLICANT

SMT.A.VALSALA SREEKUMAR,
PROPRIETRIX, HOTEL NIRAPARA, ALTHARA JUNCTION,
VELLAYAMBALAM, THIRUVANANTHAPURAM.

BY ADV. SMT.T.S.MAYA (THIYADIL)

THIS INSURANCE APPEAL HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN & ANTONY DOMINIC, JJ.
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INS.APPEAL NO. 41 OF 2005
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Dated this the 8th day of March, 2007

J U D G M E N T

P.R.Raman, J.

The Regional Director is the appellant. The challenge is against the order of the Insurance Court, Kollam in IC 37 of 2001 and the dispute relates to coverage of a hotel. After finding that there are ten or more employees in the hotel, it proceeded to consider the question as to whether there is manufacturing process using power within the meaning of the term "factory" as defined. In that regard, it was found that the contention of the appellant that there was a deep freezer in the Hotel was not substantiated by proper evidence. This is in the realm of appreciation of the evidence and does not give rise to any question of law, muchless any substantial question of law. Dismissed.

P.R.RAMAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp